

1 ERIC P. ISRAEL (State Bar No. 132426)  
*eisrael@DanningGill.com*  
2 ZEV SHECHTMAN (State Bar No. 266280)  
*zs@DanningGill.com*  
3 DANNING, GILL, ISRAEL & KRASNOFF, LLP  
1901 Avenue of the Stars, Suite 450  
4 Los Angeles, California 90067-6006  
Telephone: (310) 277-0077  
5 Facsimile: (310) 277-5735

6 Attorneys for Michael A. McConnell,  
Chapter 11 Trustee  
7

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **NORTHERN DIVISION**

11 In re Case No. 9:19-bk-11573-MB  
12 HVI CAT CANYON, INC., Chapter 11  
13 Debtor. **STIPULATION TO DISMISS REQUEST**  
14 **FOR PAYMENT OF ADMINISTRATIVE**  
15 **RENT FILED BY GLR, LLC [DOC NO.**  
16 **801]**  
17 Date: March 12, 2020  
18 Time: 10:00 a.m.  
Crtrm.: 201  
1415 State Street  
Santa Barbara, CA 93101

19 Movant GLR, LLC (“Movant” or “GLR”), on the one hand, and Respondents Michael A.  
20 McConnell, as Chapter 11 Trustee (the “Trustee”), UBS AG, London Branch and UBS AG,  
21 Stamford Branch (“UBS”), and the California State Lands Commission (the “Commission”)  
22 (collectively, “Respondents”), on the other hand, hereby stipulate as follows:  
23

24 **RECITALS**

- 25 1. On February 14, 2020, Movant filed its *Request for Payment of Administrative Rent*  
26 (doc. no. 801) together with a request for judicial notice (doc. no. 802) and notice of hearing (doc.  
27 no. 803) (taken together, the “Motion”).  
28 2. UBS filed an opposition to the Motion (doc. no. 829).

1       3. The Trustee filed an opposition to the Motion (doc. no. 832) and evidentiary  
2 objections to the declaration of Randeep S. Grewal in support of the motion (doc. no. 833). With  
3 his opposition the Trustee submitted a declaration stating that the Trustee has placed \$52,500 in  
4 escrow on account of rental payments on the Lakeview Lease as required by the cash collateral  
5 orders entered in this case.

6       4. The Commission filed a joinder in the opposition and notice of intent to cross-  
7 examine Mr. Grewal (doc. no. 836).

8       5. The Movant and Respondents have agreed, subject to execution of this stipulation  
9 and Court approval, to Movant's withdrawal of the Motion and to dismissal of the Motion pursuant  
10 to Local Bankruptcy Rule 9013-1(k).

## STIPULATION

13 | 6. The above recitals are incorporated herein by this reference.

14       7. The Movant hereby withdraws the Motion, and Movant and Respondents stipulate  
15 and agree to dismissal of the Motion pursuant to LBR 9013-1(k) without prejudice.

16       8.      The Trustee agrees to continue to maintain \$52,500 in escrow on account of the  
17 Lakeview Lease pending further order of this Court expressly authorizing the disposition of such  
18 funds.

19 9. The Trustee will lodge an order approving and giving effect to this stipulation.

21 | DATED: March 4, 2020

DANNING, GILL, ISRAEL & KRASNOFF, LLP

By:

---

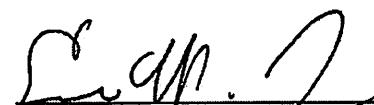
ZEV SHECHTMAN  
Attorneys for Michael A. McConnell, Chapter 11  
Trustee

[Signatures Continued On Next Page]

1 DATED: March 4, 2020

O'MELVENY & MYERS LLP

2 By:



3 EVAN M. JONES

4 Attorneys for UBS AG, London Branch  
5 and UBS AG, Stamford Branch

6 DATED: March \_\_\_, 2020

7 LOEB & LOEB LLP

8 By:

  
9 MARC S. COHEN

10 Attorneys for the California State Lands  
11 Commission

12 DATED: March \_\_\_, 2020

13 BEALL & BURKHARDT, APC

14 By:

  
15 WILLIAM C. BEALL

16 Attorneys for GLR, LLC

17

18

19

20

21

22

23

24

25

26

27

28

1 DATED: March \_\_\_, 2020

O'MELVENY & MYERS LLP

2

3

By:

4 EVAN M. JONES

5 Attorneys for UBS AG, London Branch  
and UBS AG, Stamford Branch

6

DATED: March \_\_\_, 2020

7 LOEB & LOEB LLP

8

9

By:

10 MARC S. COHEN

11 Attorneys for the California State Lands  
Commission

12

DATED: March 4, 2020

13 BEALL & BURKHARDT, APC

14

By:

15 WILLIAM C. BEALL

16 Attorneys for GLR, LLC

17

18

19

20

21

22

23

24

25

26

27

28

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (specify): STIPULATION TO DISMISS REQUEST FOR PAYMENT OF ADMINISTRATIVE RENT FILED BY GLR, LLC [DOC NO. 801] will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) March 4, 2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (date) March 4, 2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) March 4, 2020, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

PERSONAL DELIVERY ALSSI – TO BE DELIVERED BY 3/5/20  
The Honorable Martin R. Barash  
U.S. Bankruptcy Court  
Bin on 1st Floor outside entry to Intake Section  
21041 Burbank Blvd.  
Woodland Hills, CA 91367

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

March 4, 2020  
\_\_\_\_\_  
Date

Gloria Ramos  
\_\_\_\_\_  
Printed Name

/S/ GLORIA RAMOS  
\_\_\_\_\_  
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

- **William C Beall** will@beallandburkhardt.com, carissa@beallandburkhardt.com
- **Bradley D Blakeley** blakeley@blakeleylawgroup.com, bradleydblakeley@gmail.com
- **Alicia Clough** aclough@loeb.com, mnielson@loeb.com,ladocket@loeb.com
- **Marc S Cohen** mscohen@loeb.com, klyles@loeb.com
- **Alec S DiMario** alec.dimario@mhlip.com, debra.blondheim@mhlip.com;Syreeta.shoals@mhlip.com
- **Karl J Fingerhood** karl.fingerhood@usdoj.gov, efile\_ees.enrd@usdoj.gov
- **H Alexander Fisch** Alex.Fisch@doj.ca.gov
- **Don Fisher** dfisher@ptwww.com, tblack@ptwww.com
- **Brian D Fittipaldi** brian.fittipaldi@usdoj.gov
- **Ellen Friedman** efriedman@friedmanspring.com
- **Gisele M Goetz** gmgoetz@hbsb.com, ggoetz@collegesoflaw.edu;cecilia@hbsb.com
- **Karen L Grant** kgrant@silcom.com
- **Ira S Greene** Ira.Greene@lockelord.com
- **Matthew C. Heyn** Matthew.Heyn@doj.ca.gov, mcheyen@outlook.com
- **Brian L Holman** b.holman@mpglaw.com
- **Brian L Holman** b.holman@musickpeeler.com
- **Eric P Israel** eisrael@DanningGill.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com
- **Razmig Izakelian** razmigizakelian@quinnmanuel.com
- **Alan H Katz** akatz@lockelord.com
- **John C Keith** john.keith@doj.ca.gov
- **Mitchell J Langberg** mlangberg@bhfs.com, dcrudup@bhfs.com
- **Maxim B Litvak** mlitvak@pszjlaw.com
- **Michael Authur McConnell (TR)** Michael.mcconnell@kellyhart.com
- **Brian M Metcalf** bmetcalf@omm.com, brian-metcalf-9774@ecf.pacerpro.com
- **Jerry Namba** nambaepiq@earthlink.net, G23453@notify.cincompass.com;annie\_cunningham@ymail.com
- **David L Osias** dosias@allenmatkins.com, bcrfilings@allenmatkins.com,kdemorest@allenmatkins.com,csandoval@allenmatkins.com
- **Darren L Patrick** dppatrick@omm.com, darren-patrick-1373@ecf.pacerpro.com;sindelicato@omm.com;ejones@omm.com

- **Jeffrey N Pomerantz** jpomerantz@pszjlaw.com
- **Benjamin P Pugh** bpugh@ecg.law, mwoo@ecg.law;mhamburger@ecg.law;calendar@ecg.law
- **Edward S Renwick** erenwick@hanmor.com, iaguilar@hanmor.com
- **J. Alexandra Rhim** arhim@hrhllaw.com
- **Todd C. Ringstad** becky@ringstadlaw.com, arlene@ringstadlaw.com
- **Mitchell E Rishe** mitchell.rishe@doj.ca.gov
- **Zev Shechtman** zshechtman@DanningGill.com, danninggill@gmail.com;zshechtman@ecf.inforuptcy.com
- **Sonia Singh** ssingh@DanningGill.com, danninggill@gmail.com,ssingh@ecf.inforuptcy.com
- **Daniel A Solitro** dsolitro@lockelord.com, ataylor2@lockelord.com
- **Ross Spence** ross@snowspencelaw.com,  
janissherrill@snowspencelaw.com;donnasutton@snowspencelaw.com;brittanyDecoteau@snowspencelaw.co  
m
- **Christopher D Sullivan** csullivan@diamondmccarthy.com,  
mdomer@diamondmccarthy.com;kmartinez@diamondmccarthy.com
- **Jennifer Taylor** jtaylor@omm.com
- **John N Tedford** jtedford@DanningGill.com, danninggill@gmail.com;jtedford@ecf.inforuptcy.com
- **Salina R Thomas** bankruptcy@co.kern.ca.us
- **Patricia B Tomasco** pattytomasco@quinnemanuel.com,  
barbarahowell@quinnemanuel.com;cristinagreen@quinnemanuel.com
- **Fred Whitaker** lshertzer@cwlawyers.com, spattas@cwlawyers.com
- **William E. Winfield** wwinfield@calattys.com, scuevas@calattys.com
- **Richard Lee Wynne** richard.wynne@hoganlovells.com,  
tracy.southwell@hoganlovells.com;cindy.mitchell@hoganlovells.com
- **Emily Young** pacerteam@gardencitygroup.com,  
rjacobs@ecf.epiqsystems.com;ECFIinbox@epiqsystems.com
- **Aaron E de Leest** adeleest@DanningGill.com, danninggill@gmail.com;adeleest@ecf.inforuptcy.com

## **2. SERVED BY U.S. MAIL**

**Debtor**

HVI Cat Canyon, Inc.  
c/o Capitol Corporate Services, Inc.  
36 S. 18th Avenue, Suite D  
Brighton, CO 80601-2452

**Atty's for UBS AG, London Branch**

London Branch  
and UBS AG, Stamford Branch  
Evan M. Jones, Esq.  
O'Melveny & Myers LLP  
400 South Hope Street, 18th Floor  
Los Angeles, CA 90071

**Debtor**

HVI CAT CANYON, INC.  
2550 Canet Road  
San Luis Obispo, CA 93405-7836